



# DIVISION OF PUBLIC and BEHAVIORAL HEALTH Policy

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## 1.0 POLICY

The Division of Public and Behavioral Health (DPBH), Medical Marijuana Program (MMP) will accept, process, and maintain documentation of requests to make modifications to the physical facilities of a certified Medical Marijuana Establishment (MME) pursuant to NAC 453A.332 subsection 3(c) which states,

*“The Division may deny an application for or an application to renew a medical marijuana establishment registration certificate or may suspend or revoke any medical marijuana establishment registration certificate issued under the provisions of this chapter and chapter 453A of NRS upon any of the following grounds...The failure or refusal of a medical marijuana establishment to carry out the policies and procedures or comply with the statements provided to the Division in the application of the medical marijuana establishment.”*

MMEs must operate according to the plans and specifications included within that MME’s certification application as submitted to the Division. Changes to the plans and specifications are permissible, provided the MME provides the division with notification of their intent to make such a change, and provided such changes do not take the MME out of compliance with State, jurisdictional, or Division regulations and requirements.

## 2.0 PURPOSE

The purpose of this document is to delineate the policies and procedures by which an MME may or may not implement a change in facilities, identify materials MME registrants must submit in support of their proposed change, and describe how DPBH will handle, process and inspect facilities modification requests.

## 3.0 SCOPE

This policy applies to all members of the MMP Staff, and to MME Registrants that have been awarded either Provisional or Final Registration Certificates from DPBH.

## 4.0 PROCEEDURES

### 4.1 DEFINITIONS

- 4.1.1 The Division refers to the Nevada State Division of Public and Behavioral Health (DPBH)
- 4.1.2 MME refers to a Medical Marijuana Establishment
- 4.1.3 MMP refers to the Nevada Division of Public Health’s Medical Marijuana Program

### 4.2 SUBMITTAL OF CHANGE PLANS AND DOCUMENTATION TO THE DIVISION

- 4.2.1 An MME registrant who has chosen to modify their MME facility will submit a written notification to DPBH MMP, mailed to:



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Dept. of Public and Behavioral Health – Medical Marijuana Program  
4150 Technology Way Suite 106  
Carson City, NV 89706

- 4.2.2 The written notification will include:
  - 4.2.2.1 Establishment name, current physical address of the establishment, establishment registration number
  - 4.2.2.2 A narrative describing the proposed change
- 4.2.3 Facilities modification notifications will be appended to the establishment's application file at the Division

### 4.3 INSPECTIONS AND AUDITS

- 4.3.1 An MME who has implemented a change to their facility will submit documentation of the change prior to their next scheduled inspection
- 4.3.2 Modifications to an MME facility will be inspected and/or audited as appropriate at the MME facility's next regular inspection, follow-up inspection, complaint inspection, or any other time as the Division deems necessary after the MME's projected implementation date for the change or after the MME has notified The Division that the modification is completed.
- 4.3.3 Material changes to a facility or operating capability will require a Division inspection or audit prior to commencing operation, including but not limited to:
  - 4.3.3.1 Material modifications to the facility infrastructure
    - 4.3.3.1.1 Modifications requiring demolition or new construction of or to:
      - 4.3.3.1.1.1 Walls
      - 4.3.3.1.1.2 Plumbing
      - 4.3.3.1.1.3 Electrical infrastructure
      - 4.3.3.1.1.4 Heating, ventilation or air conditioning
  - 4.3.3.2 Material Modifications to the operating capability of the MME
    - 4.3.3.2.1 Implementation of a new extraction device or removal of an existing extraction device
    - 4.3.3.2.2 Changes to the growing method from that previously described and inspected
      - 4.3.3.2.2.1 Lighting technology
      - 4.3.3.2.2.2 Hydroponic system
      - 4.3.3.2.2.3 Pod or other contained growing system



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- 4.3.3.2.2.3.1 Additions of new pods identical to one which has already been inspected are not modifications and do not require a facilities change request or inspection prior to being implemented and becoming operational